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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,067	03/11/2004	Hirokazu Hisano	GK/55	5663

28596 7590 12/30/2005

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EXAMINER

PATEL, VISHAL A

ART UNIT

PAPER NUMBER

3673

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/798,067

Applicant(s)

HISANO ET AL.

Examiner

Vishal Patel

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 2-9, 11, 12, 15-18 and 20-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 10, 13, 14 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/7/04, 7/11/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of species V and group I in the reply filed on 10/14/05 and 7/8/05 is acknowledged.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 recites the limitation "the annular portion" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 10, 13, 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minor et al (US. 6,485,809) in view of Grover (US. 3,770,285).

Minor discloses a sealing material (material formed by 15 and 13), the sealing material having a band of expanded porous polytetrafluoroethylene, the width of the sealing material from the inner periphery to the outer periphery is greater than the thickness of the outer peripheral surface thereof (the thickness in figure from the inner periphery to the outer periphery is greater than the thickness of the sealing material), the angle of elevation of the annular portion of the sealing material in relation to the horizontal plane formed by the edge of the inner peripheral

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surface thereof is 0 to 45 degrees (figures 1-3). The annular portion has a laminate structure of expanded porous polytetrafluoroethylene layers. The expanded porous polytetrafluoroethylene layers are laminated in the width direction (layers 15, 13 and 15 are laminated in the width direction or consider the material of figure 10). The annular portion comprises a nonporous polytetrafluoroethylene layer inserted between the laminated expanded porous polytetrafluoroethylene layers (figure 10).

Minor discloses the invention substantially as claimed above but fails to disclose that the sealing material is split and the ends of the split are joined by a double sided adhesive tape. Grover teaches to have a sealing material that is split form to have ends and the ends are connected by a double side adhesive tape (see abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the sealing material of Minor to be split to provide easy mounting and to have the ends of the split to be joined to form an annular sealing material as taught by Grover, since having a step joint would ease mounting of the sealing material and to connect the ends of the step joint by double coated tape would provide an annular sealing material (see abstract of Grover).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. References that teach two materials that are wounded to form a sealing material are Waterland III, Chang and Gore. Ruch, Biekx and Walters teach to connect two ends by a double adhesive tape or adhesive to form a closed annular part. Beeck et al and McClure teach to have a sealing material that has an angle of > than 0 degrees. Radke teaches to have an annular sealing material that is formed by a single split or multiple splits or no split.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishal Patel whose telephone number is 571-272-7060. The examiner can normally be reached on 6:30am to 8:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Suzanne L. Barrett can be reached on 571-272-7053. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP
December 22, 2005

A handwritten signature in black ink, appearing to read 'Vishal Patel', with a stylized flourish at the end.

Vishal Patel
Patent Examiner
Tech. Center 3600